

Application No. 09/942,790

ASPN 1003-1

REMARKS

In the Official Action mailed 17 October 2005, the Examiner reviewed claims 1-26. The Examiner has rejected claims 1, 4-9, 17-19 and 21-26 under 35 U.S.C. §103(a); has rejected claim 2 under 35 U.S.C. §103(a); has rejected claims 16 and 20 under 35 U.S.C. §103(a); and has objected to claims 3, 10-15 as being dependent on a rejected base claim.

Applicant has amended claims 1, 2, 10, 13, 21, 22, 24 and 25, cancelled claims 23 and 26 and added claims 27-30. Claims 1-22, 24-25, and 27-30 are now pending.

The Examiner's rejections are respectfully traversed below.

Rejection of Claims 1, 4-9, 17-19 and 21-26 under 35 U.S.C. §103 (a)

The Examiner has rejected claims 1, 4-9, 17-19 and 21-26 under 35 U.S.C. §103(a), as being unpatentable over by Daly (US Patent No. 6,748,021). Applicant has amended independent claim 1 to incorporate the subject matter of claims 2 and 3. The Examiner indicated such amendment would be allowable. Claims 4-9 and 17-19 depend from claim 1, as amended.

Likewise, Applicant has amended independent method claim 21 to incorporate subject matter of original claims 2 and 3, and suggests such claim is allowable for at least the reasons of claim 1 as amended.

Claims 22, 24 and 25 have been amended to independent form, and include subject matter from original claims 2 and 3, and are allowable for at least the reasons of claim 1 as amended.

Claims 23 and 26 are cancelled.

Accordingly, reconsideration of the rejection of claims 1, 4-9, 17-19 and 21, 22, 24 and 25 as amended is respectfully requested.

Rejection of Claim 2 under 35 U.S.C. §103(a)

The Examiner has rejected claim 2 Under 35 U.S.C. §103(a) as being unpatentable over Daly (US Patent No. 6,748,021) in view of Stanwood et al. (U.S Patent No. 6,683,866) and Masters et al. (US Patent No. 6,330,278). Claim 2 is amended to depend from claim 10, which has been amended to incorporate its base claim and which the Examiner indicated would be allowable. Therefore, claim 2 as amended patentable for at least the same reasons as claim 10 as amended.

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Accordingly, reconsideration of the rejection of claim 2 as amended is respectfully requested.

Rejection of Claims 16 and 20 under 35 U.S.C. §103(a)

The Examiner has rejected claims 16 and 20 under 35 U.S.C. §103(a) as being unpatentable over Daly (US Patent No. 6,748,021) in view of Stanwood et al (U.S. Patent No. 6,683,866), and in further view of Schneider (US Patent No. 6,570,871). Claims 16 and 20 are patentable for at least the same reasons as claim 1, from which they depends, and because of the unique combination recited.

Accordingly, reconsideration of the rejection of claims 16 and 20 is respectfully requested.

Objection to Claims 3 and 10-15

The Examiner has objected to claims 3 and 10-15 as being dependent upon a rejected base claim, but he has indicated they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant has amended claims 10 and 13 to independent form, and amended claim 2, from which claim 3 depends, so that they depend from claim 10. Claims 11 and 12 depend from claim 10 as amended, and claims 14 and 15 depend from claim 13 as amended.

Accordingly, reconsideration of the objection to claims 3 and 10-15 is requested in light of the amendments.

New Claims

Applicant adds new claims 27-30. Claims 27 and 28 are method claims corresponding to apparatus claims 10 and 13 respectively, and are allowable for the same reasons. Claims 29 and 30 are claims directed to a computer program on a machine readable medium corresponding to apparatus claims 10 and 13 respectively, and are allowable for at least the same reasons.

CONCLUSION

It is respectfully submitted that this application is now in condition for allowance, and such action is requested.

Jan.17: 2006 3:22PM Haynes Beffel Wolfeld LLP

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The Commissioner is hereby authorized to charge any fee determined to be due in connection with this communication, or credit any overpayment, to our Deposit Account No. 50-0869 (ASPN 1003-1).

Respectfully submitted,

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